REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated April 14, 2006. A Petition for Extension of Time (two months) and the fee therefor are submitted herewith.

Claims 1-24 were pending in this application. According to the Office Action, claims 1-8, 13-19, and 24 were rejected and claims 9-12 and 20-23 were objected to. Applicant has not amended or canceled any claims. Accordingly, claims 1-24 are under consideration.

Applicant notes with appreciation that claims 9-12 and 20-23 were indicated as being allowable if rewritten in independent form. Applicant respectfully submits, however, that claim 1, from which these claims depend, is both novel and nonobvious in view of the cited reference and as such, chooses to defer a re-writing of the claims at this time.

The Examiner rejected claims 1-8, 13-19, and 24 as being unpatentable over Ouchi (5,897,487). Applicant respectfully submits that Ouchi does not teach, suggest, nor disclose independent claim 1. Specifically, claim 1 recites in part an endoscope hood comprising:

> a cylindrical attachment portion which can be attached to a distal end portion of an insertion portion of a first endoscope and which can be also attached to a distal end portion of an insertion portion of a second endoscope ... which has an outside diameter ...[that] is different from that of the distal end portion of the insertion portion of the first endoscope....

In rejecting claim 1, the Examiner indicated that Ouchi teaches an endoscope hood 3 that has an attachment portion that may be attached to a distal end portion of an insertion portion of a first endoscope, but does not teach that the same endoscope hood may also be attached to the distal end portion of an insertion portion of a second endoscope where the insertion portion of each of the first and second endoscopes have different diameters. The Examiner further indicated, however, that Ouchi teaches that endoscope hood 3 is "deformable" and as such, it is inherent that the endoscope hood may be attached to endoscopes of different diameters.

Applicant respectfully submits that while Ouchi appears to disclose an endoscope hood 3 that may be deformed in shape and that is also flexible, the terms deformed and flexible as used by Ouchi only mean that the hood is bendable and does not mean that the hood has an elastic form that allows the hood to be attached to endoscopes of different diameters. Specifically, Ouchi uses the terms flexible and deformed in reference to Ouchi Figures 7-10. In these Figures, Ouchi discloses an endoscope hood 3 having a groove 4 on which a loop 12 of a wire 10 may be placed. Notably, Ouchi teaches that endoscope hood 3 is "made of a flexible material." As disclosed by Ouchi, this flexible form allows the endoscope hood to deform or bend during use such that loop 12 may be removed from the hood. In particular, Ouchi teaches that by pulling on wire 10, the diameter of loop 12 is reduced, which causes endoscope hood 3 to deform or bend inward thereby reducing the diameter of the endoscope hood. As a result, loop 12 is able to slide free of groove 4 (Ouchi, column 4, line 66 to column 5, line 10).

Applicant respectfully submits that the term flexible only means bendable, not elastic, and further submits that Ouchi uses the terms flexible and deformed consistent with this definition, as described above. Nowhere does Ouchi teach, suggest, or disclose that because endoscope hood 3 is flexible and deformable, as these terms are used by Ouchi, that the hood is also of an elastic form that allows the hood to be attached to endoscopes having insertion portions of different diameters.

Applicant also notes that in the Office Action, the Examiner made reference to Ouchi Figure 3, indicating that the portion of endoscope hood 3 attached to the insertion portion of the endoscope is deformed outward in a radial direction, thereby showing the hood is elastic. Applicant respectfully disagrees. As shown in Ouchi Figure 5, which shows the endoscope hood of Figure 3 detached from the endoscope, the portion of the endoscope hood that attaches to the insertion portion of the endoscope is molded to have a shape that conforms to the endoscope. As shown between these two Figures, Ouchi clearly does not teach, suggest, nor disclose that the endoscope hood is elastic.

Accordingly, Applicant respectfully submits that the Ouchi does not teach suggest, nor disclose an endoscope hood having an attachment portion as recited by claim 1.

In addition, claim 1 also recites that the endscope hood comprises:

> a protrusion portion which is formed on an end side of the attachment portion, ... and has an area displayed in an observation image of the second endoscope that is larger than an area displayed in an observation image of the first endoscope.

Applicant notes that Ouchi appears to disclose in Figures 17-21 different variations of an endoscope hood 3, each variation having a protrusion portion that includes an area displayed in an observation image of an endoscope. Applicant also notes that each of these endoscope hoods appears to have a respective protrusion portion that includes a different sized area displayed in an observation image of the endoscope. However, even assuming, *arguendo*, that any one of these hoods may be attached to two different endoscopes having insertion portions of different diameters, nowhere does Ouchi teach, suggest, or disclose that an area of the hood's protrusion portion that is displayed in an observation image of the second endoscope will be larger than the area of the protrusion portion displayed in an observation image of the first endoscope, contrary to claim 1. In other words, Ouchi does not teach, suggest, nor disclose an endoscope hood having a structure such that an area of the hood displayed in an observation image will be different based on the diameter of the insertion portion of the endoscope on which the hood is attached. Accordingly, Applicant respectfully submits that Ouchi does not teach suggest, nor disclose an endoscope hood having a protrusion portion as recited by claim 1.

Accordingly, for the forgoing reasons, Applicant submits that Ouchi does not teach, suggest, nor disclose claim 1, in addition to claims 2-8, 13-19, and 24, which depend therefrom.

Since Ouchi fails to teach or suggest Applicant's invention as set forth in claims 1-8, 13-19, and 24, Applicant submits that these claims are clearly allowable. Favorable reconsideration and allowance of these claims, together with claims 9-12 and 20-23 indicated as allowable, are therefore requested.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims and pass this case to issue. However, if the Examiner deems it would in any way facilitate the prosecution of this application, he is invited to telephone Applicant's counsel at the number below.

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Respectfully submitted,

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